

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

SHEET METAL WORKERS LOCAL 265	)	
WELFARE FUND, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	CIVIL ACTION
	)	
vs.	)	NO. 16 C 10470
	)	
ONE SOURCE UNITED MECHANICAL, LLC,	)	JUDGE CHARLES R. NORGLER, SR.
an Illinois limited liability company, d/b/a	)	
UBM MECHANICAL SERVICES,	)	
	)	
Defendant.	)	

**MOTION FOR ENTRY OF JUDGMENT**

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on January 12, 2017, request this Court enter judgment against Defendant, ONE SOURCE UNITED MECHANICAL, LLC, an Illinois limited liability company, d/b/a UBM MECHANICAL SERVICES. In support of that Motion, Plaintiffs state:

1. On January 12, 2017, this Court entered default against Defendant and granted Plaintiffs' request for an order directing Defendant to turn over its monthly fringe benefit contribution reports for June 2016 and July 2016 within 14 days of the entry of the Order (by January 26, 2017). The Court Order also stated that judgment would be entered after Plaintiffs determined the amount due and owing from Defendant.

2. Defendant failed to submit the required monthly fringe benefit contribution reports for June and July 2016, pursuant to the Court's Order entered on January 12, 2017. Accordingly, on February 8, 2017, Plaintiffs' counsel filed a motion for an order setting a hearing on a rule to show cause.

3. On February 15, 2017, the Court granted Plaintiffs' motion and set a hearing on a rule to show cause for April 7, 2017 at 11:00 a.m.

4. On April 7, 2017, Plaintiffs' counsel appeared before Judge Norgle on the scheduled hearing on the rule to show cause. The matter was set for a status hearing on April 21, 2017.

5. On or about April 19, 2017, the Plaintiff Funds notified Plaintiffs' counsel that it determined the amount due and owing from Defendant for the months of June 2016 and July 2016. (See Affidavit of Kevin J. Schell).

6. On April 21, 2017, the status hearing was stricken and continued to April 28, 2017.

7. On April 28, 2017, the status hearing was stricken and continued to May 12, 2017.

8. Plaintiff Funds have determined that Defendant owes \$23,381.75 in contributions and \$2,338.18 in liquidated damages, for a total of \$25,719.93.

9. In addition, Plaintiffs' firm has expended \$400.00 in court costs and \$2,150.50 in attorneys' fees, for a total of \$2,550.50, in this matter. (See Affidavit of Catherine M. Chapman).

10. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$28,270.43.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$28,270.43.

/s/ Cecilia M. Scanlon \_\_\_\_\_

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### **CERTIFICATE OF SERVICE**

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 19th day of May 2017:

Mr. Marcus J. Nunes, Registered Agent  
One Source United Mechanical, LLC  
Chico & Nunes, PC  
333 W. Wacker Drive, Suite 1420  
Chicago, IL 60606

Mr. James S. Cabrera, CEO  
UBM Mechanical Services  
167 Easy Street  
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UBM Mechanical Services  
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/s/ Cecilia M. Scanlon \_\_\_\_\_

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